

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

BALSHE LLC and THE SIMON LAW FIRM,)	
)	
Plaintiffs,)	Case No. 08 CV 3256
)	
v.)	Judge James B. Zagel
)	
ALAN J. ROSS and SAVE ASSOCIATES,)	Magistrate Judge Susan E. Cox
)	
Defendants.)	

**PLAINTIFFS' MEMORANDUM IN SUPPORT OF
MOTION TO EXTEND TEMPORARY RESTRAINING ORDER**

Plaintiffs Balshe LLC (“Balshe”) and The Simon Law Firm (the “Simon Firm”) (collectively, “Plaintiffs”), by their attorneys, Novack and Macey LLP, respectfully move for an extension of the Temporary Restraining Order entered by the state court in this matter on May 28, 2008 (“TRO”). In support hereof, Plaintiffs state as follows:

1. Plaintiffs do not believe that it is necessary to extend the TRO because it was entered with notice and it does not contain any time limitation or expiration date. It therefore “remain[s] in full force and effect until it is dissolved or modified” by this Court. 28 U.S.C. § 1450.
2. Nevertheless, to the extent that Defendants dispute this, Plaintiffs seek an extension of the TRO until such time as Plaintiffs’ Motion For Preliminary Injunction is decided by the Court.
3. Such extension should be granted for all of the reasons set forth in Plaintiffs’ Motion For Preliminary Injunction and Memorandum In Support thereof.
4. Plaintiffs’ Motion For Preliminary Injunction is set for presentation to the Court on Thursday, June 12, 2008, at 10:15 a.m. Presumably, the Court will set a date to for the evidentiary

hearing on that motion at that time. Plaintiffs are available at the earliest date possible for such hearing.

5. Therefore, Defendants will not be unfairly prejudiced by an extension of the TRO and a preservation of the *status quo* until such time as Plaintiffs' Motion For Preliminary Injunction may be heard and decided.

WHEREFORE, for all of the foregoing reasons, Plaintiffs respectfully request that the Court:

- (a) Extend the Temporary Restraining Order entered by the State Court on May 28, 2008, until this Court rules upon Plaintiffs' Motion For Preliminary Injunction; and
- (b) Grant Plaintiffs such other and further relief as the Court deems appropriate.

Respectfully submitted,

BALSHE LLC and THE SIMON LAW FIRM

By: /s/ Richard L. Miller II
One of Their Attorneys

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CERTIFICATE OF SERVICE

I, Richard L. Miller II, an attorney, hereby certify that I caused a copy of the foregoing Plaintiffs' Motion For Preliminary Injunction to be served upon the following individual via electronic means pursuant to Electronic Case Filing (ECF) procedures:

Alan R. Lipton
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and upon the following individuals via electronic mail and U.S. mail:

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on this 10th day of June 2008.

/s/ Richard L. Miller II

Richard L. Miller II